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Towards a nuclear-weapon-free world: the need for a new agenda

Report of the Secretary-General

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I. Introduction

1. On 4 December 1998, the General Assembly adopted resolution 53/77 Y, entitled "Towards a nuclear-weapon-free world: the need for a new agenda", paragraphs 1-20 of which read as follows:

"*The General Assembly*,

"...

"1. *Calls upon* the nuclear-weapon States to demonstrate an unequivocal commitment to the speedy and total elimination of their respective nuclear weapons and, without delay, to pursue in good faith and bring to a conclusion negotiations leading to the elimination of these weapons, thereby fulfilling their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons;

"2. *Calls upon* the United States of America and the Russian Federation to bring the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II) into force without further delay and immediately thereafter to proceed with negotiations on START III with a view to its early conclusion;

"3. *Calls upon* the nuclear-weapon States to undertake the necessary steps towards the seamless integration of all five nuclear-weapon States into the process leading to the total elimination of nuclear weapons;

"4. *Also calls upon* the nuclear-weapon States to pursue vigorously the reduction of reliance on non-strategic nuclear weapons and negotiations on their elimination as an integral part of their overall nuclear disarmament activities;

"5. *Further calls upon* the nuclear-weapon States, as an interim measure, to proceed to the de-alerting of their nuclear weapons and, in turn, to the removal of nuclear warheads from delivery vehicles;

"6. *Urges* the nuclear-weapon States to examine further interim measures, including measures to enhance strategic stability and accordingly to review strategic doctrines;

"7. *Calls upon* those three States that are nuclear-weapon capable and that have not yet acceded to the Treaty on the Non-Proliferation of Nuclear Weapons to reverse clearly and urgently the pursuit of all nuclear weapons development or deployment and to refrain from any action which could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of nuclear weapons proliferation;

"8. *Calls upon* those States that have not yet done so to adhere unconditionally and without delay to the Treaty on the Non-Proliferation of Nuclear Weapons and to take all the necessary measures which flow from adherence to this instrument;

"9. *Also calls upon* those States that have not yet done so to conclude full-scope safeguards agreements with the International Atomic Energy Agency and to conclude additional protocols to their safeguards agreements on the basis of the Model Protocol approved by the Board of Governors of the Agency on 15 May 1997;

"10. *Further calls upon* those States that have not yet done so to sign and ratify, unconditionally and without delay, the Comprehensive Nuclear-Test-Ban Treaty and, pending the entry into force of the Treaty, to observe a moratorium on nuclear tests;

"11. *Calls upon* those States that have not yet done so to adhere to the Convention on the Physical Protection of Nuclear Material and to work towards its further strengthening;

"12. *Calls upon* the Conference on Disarmament to pursue its negotiations in the Ad Hoc Committee established under item 1 of its agenda entitled 'Cessation of the nuclear arms race and nuclear disarmament', on the basis of the report of the Special Coordinator and the mandate contained therein, of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, taking into consideration both nuclear non-proliferation and nuclear disarmament objectives, and to conclude these negotiations without delay, and, pending the entry into force of the treaty, urges States to observe a moratorium on the production of fissile materials for nuclear weapons or other nuclear explosive devices;

"13. *Also calls upon* the Conference on Disarmament to establish an appropriate subsidiary body to deal with nuclear disarmament and, to that end, to pursue as a matter of priority its intensive consultations on appropriate methods and approaches with a view to reaching such a decision without delay;

"14. *Considers* that an international conference on nuclear disarmament and nuclear non-proliferation, which would effectively complement efforts being undertaken in other settings, could facilitate the consolidation of a new agenda for a nuclear-weapon-free world;

"15. *Recalls* the importance of the decisions and resolution adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and underlines the importance of implementing fully the decision on strengthening the review process for the Treaty;

"16. *Affirms* that the development of verification arrangements will be necessary for the maintenance of a world free from nuclear weapons, and requests the International Atomic Energy Agency, together with any other relevant international organizations and bodies, to explore the elements of such a system;

"17. *Calls* for the conclusion of an internationally legally binding instrument to effectively assure non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons against the use or threat of use of nuclear weapons;

"18. *Stresses* that the pursuit, extension and establishment of nuclear-weapon-free zones, on the basis of arrangements freely arrived at, especially in regions of tension, such as the Middle East and South Asia, represent a significant contribution to the goal of a nuclear-weapon-free world;

"19. *Affirms* that a nuclear-weapon-free world will ultimately require the underpinnings of a universal and multilaterally negotiated legally binding instrument or a framework encompassing a mutually reinforcing set of instruments;

"20. *Requests* the Secretary-General, within existing resources, to compile a report on the implementation of the present resolution."

2. The present report is submitted pursuant to paragraph 20 of resolution 53/77 Y. In connection with paragraph 16 of the resolution, the Secretary-General sought the cooperation of the International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) and the Organization of African Unity regarding the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) (A/50/426, annex), the Government of Thailand in its capacity as depositary of the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty), the South Pacific Forum regarding the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga)[1] and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), taking into account their respective experiences, in exploring the possible elements for developing global verification arrangements as envisaged in resolution 53/77 Y. The views from the various international organizations and bodies are reflected as received.

II. Observations by the Secretary-General

3. Global negotiations on nuclear disarmament remain at a standstill. The persistence of divergent views on the most pressing issues on the international disarmament agenda has affected the work of the Conference on Disarmament again this year. The Secretary-General believes that the global security environment as well as measures taken at the unilateral and bilateral levels will have an impact on any progress to be made in that area. The Secretary-General notes the Joint Statement between the United States of America and the Russian Federation concerning Strategic Offensive and Defensive Arms and Further Strengthening of Stability of 20 June 1999, which he considers an important development in revitalizing the START process, and expresses his hopes for early and positive results. He also welcomes further discussions on strategic issues between the two countries.

4. The third anniversary of the opening for signature of the Comprehensive Nuclear-Test-Ban Treaty (see resolution 50/245) will be commemorated on 24 September 1999. The Treaty has yet to enter into force. The Treaty, in article XIV, provides for a conference to be convened by the Secretary-General, in his capacity as depositary, should the majority of States that have already deposited their instruments of ratification so request. Preparations are currently under way among ratifying and signatory States of the Treaty for a conference on facilitating its entry into force. The conference, to be held in Vienna in October 1999, is expected to examine the situation and to consider and decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process in order to facilitate the Treaty's early entry into force. The Secretary-General wishes to draw the attention of Member States to the fact that, to date, a total of 152 States have signed the Treaty, with 45 States having ratified it. Of the

44 States whose ratification is necessary for the Treaty to enter into force, 21 have deposited their instruments of ratification and 3 have not yet signed the Treaty. The Secretary-General calls on all States that have not yet done so to sign and ratify the Treaty without delay and without conditions.

5. The Secretary-General wishes to draw the attention of Member States to the work achieved by the Disarmament Commission at its 1999 substantive session, at which consensus was reached, *inter alia*, on principles for the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among States of the region concerned.

6. The Secretary-General also notes that the preparations for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held from 24 April to 19 May 2000 in New York, were finalized. The Review Conference will be the first conference since the Treaty was indefinitely extended in 1995. It will provide an opportunity to States parties to evaluate the implementation of the Treaty's provisions since that time and to identify those areas in which further progress should be sought in the future and the means by which it should be achieved.

7. The Secretary-General wishes to draw attention to the report of the Conference on Disarmament,[2] which contains an account of its deliberations on issues raised in paragraphs 12, 13 and 17 of resolution 53/77 Y, as well as proposals put forward by delegations on those issues.

8. Since the adoption of resolution 53/77 Y, new initiatives in the area of nuclear disarmament have been presented by States as well as by groups of eminent personalities.

III. Observations by international organizations and Governments

A. International Atomic Energy Agency

9. In its comments, IAEA stated the following:

> "In the resolution the General Assembly recognizes not only the obstacles to but also the opportunities for achieving the goal of a nuclear-weapon-free world. It also highlights the concurrent, dual-track nature of the task: preventing the further spread of nuclear weapons and eliminating existing weapons. In each case, the Assembly emphasizes that effective verification will be a key component of success. IAEA has a pivotal role in verification.
>
> "Verification is, of course, only one instrument in the pursuit of the goal of a nuclear-weapon-free world. Many of the issues associated with the elimination of nuclear weapons go far beyond the realm of verification and require political and security accommodations.
>
> "Current, multilateral nuclear non-proliferation efforts that aim to arrest the spread of nuclear weapons are centred upon the Treaty on the Non-Proliferation of Nuclear Weapons and existing nuclear-weapon-free zone agreements. Crucial to the success of the Non-Proliferation Treaty and existing nuclear-weapon-free zone agreements are the verification arrangements embodied in the IAEA safeguards system.
>
> "The discovery of a clandestine nuclear programme in Iraq and other relevant IAEA experience gained over the last decade have resulted in major efforts to strengthen the safeguards system, culminating in the adoption by the IAEA Board of Governors, in May 1997, of a Model Protocol additional to States' safeguards agreements. The strengthening measures in the Model Protocol focus on the provision of more information to the Agency about States' nuclear activities and on more physical access to places where nuclear material is or could be present. In resolution 53/77 Y, the General Assembly recognizes that effective safeguards require States to conclude safeguards agreements with IAEA and acknowledges the particular contribution that the Model Protocol can make in that regard. It also acknowledges that the conclusion of safeguards agreements and additional protocols is important in the context of moving towards a nuclear-weapon-free world.
>
> "In resolution 53/77 Y, the General Assembly also recognizes that other multilateral agreements and understandings add further, interlocking building blocks to the foundations of a nuclear-weapon-free world. Some of them, such as the Comprehensive Nuclear-Test-Ban Treaty, are already in place and provide for effective verification. Effective verification will undoubtedly be a sine qua non of other agreements that the resolution highlights as being crucial to a nuclear-weapon-free world, notably a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

"It is clear that the international verification of nuclear disarmament would probably need to be intrusive and wide-ranging in order to provide assurance regarding the complete absence of nuclear weapons.

"From the IAEA perspective, the universal application of strengthened safeguards, and effective verification of compliance with agreements to eliminate existing nuclear arsenals, would provide a sound basis for verifying a world free from nuclear weapons. The ability to verify, universally, the non-diversion of nuclear material to nuclear weapons and the absence of any undeclared nuclear material and activities would clearly be conducive to an international environment that would discourage the pursuit of the nuclear weapons option. IAEA will continue to be ready to undertake relevant verification tasks, consistent with its mandate and Statute, that would contribute to the establishment of a nuclear-weapon-free world."

B. Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

10. In its reply, OPANAL stated that it had requested member States and observers of the Council of OPANAL for their opinion on resolution 53/77 Y, to which the Government of Mexico had provided a comprehensive response. The Secretary-General of OPANAL indicated that in response to a letter regarding the Joint Declaration entitled "Towards a nuclear-weapon-free world: the need for a new agenda" in June 1998, the Governments of Ecuador and Uruguay had sent formal notes to OPANAL fully supporting the initiative. The Secretary-General of OPANAL also expressed his belief that the XVI General Conference of OPANAL and the Regional Seminar on Disarmament, to be held in Lima from 30 November to 3 December 1999, would include in their deliberations such an important issue for international peace and security. The reply from the Government of Mexico reads as follows:

"During the fifty-third session of the General Assembly, Mexico sponsored resolution 53/77 Y, "Towards a nuclear-weapon-free world: the need for a new agenda", whose paragraph 16 affirms that the development of verification arrangements will be necessary for the maintenance of a world free from nuclear weapons, and requests the International Atomic Energy Agency, together with any other relevant international organizations and bodies, to explore the elements of such a system.

"The foregoing emphasizes the undeniable link between the objective of the elimination of nuclear weapons and verification. Indeed, article VI of the Treaty on the Non-Proliferation of Nuclear Weapons establishes the obligation of States Parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and also points out the need for a treaty on general and complete disarmament under strict and effective international control, meaning that there is particular emphasis on the need to implement a verification regime with a view to the ultimate elimination of nuclear weapons.

"The 1996 advisory opinion of the International Court of Justice affirmed that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In keeping with this objective, Mexico confirms its determination to move towards the conclusion of a convention to prohibit nuclear weapons in all their aspects within a time-bound framework. Such a convention should contain procedures or measures to verify its observance, such as declarations, inspections and technical monitoring, and procedures for consultations, clarifications, settlement of disputes, and sanctions in the case of serious violations.

"Towards that aim, Mexico attaches the highest priority to the efforts of the Conference on Disarmament to establish an ad hoc committee to commence negotiations on a phased programme for the total elimination of nuclear weapons.

"Furthermore, Mexico believes that effective measures should be taken to reduce the nuclear threat, for instance: the de-alerting of nuclear-weapon systems, the removal of nuclear warheads from their delivery vehicles, the early conclusion of a treaty prohibiting the production of fissile material and its delivery vehicles, the conclusion of a convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the establishment of a legally binding commitment on the non-first-use of nuclear weapons.

"Mexico expresses its conviction that the general principles of verification drawn up during the 1987 substantive session of the Disarmament Commission should be applied.

"In order to create a nuclear weapons verification system, Mexico believes that the experience of such bodies as the General Assembly, the Security Council, the Conference on Disarmament, the agencies established to oversee nuclear-weapon-free zones, the international monitoring system for the Comprehensive Nuclear-Test-Ban Treaty, the verification regime for the Organization for the Prohibition of Chemical Weapons, bilateral agencies of the United States and the Russian Federation responsible for non-proliferation and disarmament, for instance the START process and the Anti-Ballistic Missile Treaty, and the system of safeguards of the International Atomic Energy Agency, should be put to use.

"Moreover, Mexico has promoted the initiatives included in resolution 53/77 Y at both the regional and international levels, especially those intended to underline the extreme urgency of initiating negotiations on nuclear disarmament and the adoption of a consistent action programme that will lead us to a world free of nuclear weapons."

C. Government of Thailand

11. The Government of Thailand, in its capacity as depositary of the Treaty of Bangkok, submitted the following reply:

"At its fifty-third session, in 1998, the General Assembly adopted resolution 53/77 Y, entitled 'Towards a nuclear-weapon-free world: the need for a new agenda'. The so-called 'New Agenda Coalition' are of the view that progress towards a world free of nuclear weapons requires a balance between bilateral, plurilateral and multilateral efforts undertaken in concert, while in resolution 53/77 Y the General Assembly sets out an agenda that will need to be pursued.

"One of the measures identified was to develop effective verification arrangements to ensure elimination of nuclear weapons. With that in mind, in paragraph 16 of resolution 53/77 Y, the General Assembly affirms that the development of verification arrangements will be necessary for the maintenance of a world free from nuclear weapons, and requests IAEA, together with any other relevant international organizations and bodies, to explore the elements of such a system.

"A global verification system would, *inter alia*, monitor the elimination of existing nuclear arsenals and movement of nuclear weapons. The recent nuclear activities in the Korean Peninsula and in South Asia have demonstrated the potential benefits of a global verification system in providing early warning of possible threats to international peace and security. As the responsibility for implementation of the verification regime for the Treaty on the Non-Proliferation of Nuclear Weapons falls on IAEA, which has accumulated much experience and expertise, the Agency should be at the core of any global arrangement. However, the development of such an arrangement would be greatly facilitated by the contribution of existing regional arrangements in conjunction with that of IAEA. The executive bodies of the various nuclear-weapon-free zone treaties constitute concrete examples of existing regional arrangements, but their capabilities need to be augmented and their political role needs to be acknowledged by the international community.

"At the same time, as nuclear-weapon-free zones specifically prohibit the stationing of nuclear weapons within the respective zones, their contribution is not to help oversee the elimination of existing arsenals but rather to assist IAEA in various matters, including in monitoring transfers.

"With respect to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (the Bangkok Treaty), that Treaty provides that each State party shall conclude an agreement with IAEA for the application of full-scope safeguards to its peaceful nuclear activities not later than 18 months after the entry into force for that State party of the Treaty.

"It also provides under article 10 for a control system for the purpose of verifying compliance with the obligations of the States parties. The control system shall comprise: the IAEA safeguards system (article 5); the report and exchange of information (article 11); request for clarification (article 12); and request and procedures for a fact-finding mission (article 13). Taken together, those provisions engage IAEA in the implementation of a nuclear-weapon-free zone on a more comprehensive basis than any previous nuclear-weapon-free zone treaty.

"Following the entry into force of the Bangkok Treaty in March 1997, progress has been made towards implementing its provisions. The States parties have taken a decision to convene the

Commission for the South-East Asia Nuclear-Weapon-Free Zone, which is to oversee compliance with the Treaty's provisions, at the ASEAN Ministerial Meeting in Singapore on 24 July 1999.

"IAEA already supports a regional cooperation agreement for Asia and the Pacific, which brings national nuclear institutions in a range of nuclear activities. The Association of South-East Asian Nations (ASEAN) also studies nuclear safety issues through its Experts Working Group on Nuclear Safety and Nuclear Waste Management. Appropriate technical and financial assistance from the international community as well as from IAEA would better enable the ASEAN States through the Commission for the South-East Asia Nuclear-Weapon-Free Zone and its Executive Committee to develop monitoring capabilities. With this in mind, the coordinating role of IAEA constitutes the key element in developing a global verification arrangement to ensure the elimination of nuclear weapons. IAEA should nevertheless also work in close consultation with the existing regional bodies, as well as with the nuclear-weapon States, whose cooperation is a necessary condition for the effective functioning of such an arrangement."

D. South Pacific Forum

12. The reply of the South Pacific Forum Secretariat, in its capacity as depositary of the Treaty of Rarotonga, reads as follows:

"Articles 8, 9 and 10 of the Treaty of Rarotonga provide for the verification arrangements of the Treaty, which consist of reports and exchange of information, consultations, the application to peaceful nuclear activities of safeguards by IAEA and a complaints procedure.

"The procedures under the verification arrangements of the Treaty have not been invoked by any party to the Treaty or its Protocols thus far. France has of course conducted nuclear tests in the region, but this was prior to becoming a party to the Protocols.

"The Preparatory Commission for CTBTO is also in the process of negotiating the establishment of monitoring sites in the region with several members of the South Pacific Forum.

"With the limited experience of the Forum, it is considered that a global verification regime should consist of both technical verification systems and consultative mechanisms. The latter is particularly relevant in the South Pacific region."

E. Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

13. The reply from the Provisional Technical Secretariat of the Preparatory Commission for CTBTO reads as follows:

"The Comprehensive Nuclear-Test-Ban Treaty establishes a verification regime consisting of the following elements:

(a) An international monitoring system;

(b) Consultations and clarifications;

(c) On-site inspections;

(d) Confidence-building measures.

"At entry into force of the Treaty, the verification regime shall be capable of meeting the verification requirements of the Treaty (article IV, para. 1).

"The Preparatory Commission for CTBTO, established by the States signatories to the Treaty on 19 November 1996, has been mandated, *inter alia*, to carry out the necessary preparations for the effective implementation of the Treaty:

"(a) Intensive work is being undertaken by the Preparatory Commission in the progressive establishment of the international monitoring system, comprising 337 facilities for seismological monitoring, radionuclide monitoring, including certified laboratories and hydroacoustic and infrasound monitoring. Installation work is also under way on the related means of communication, the global communication infrastructure and the progressive commissioning of the international data centre;

"(b) Work on consultation and clarification is at a very early stage;

"(c) The basis for on-site inspection procedures is being prepared;

"(d) The Preparatory Commission is looking into developing Treaty stipulations on confidence-building measures.

"The Provisional Technical Secretariat looks forward to an early entry into force of the Treaty, so as to implement the verification elements stipulated in it for a safer and more secure world."

Notes

[1] See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

[2] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 27* (A/54/27).